

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Lisa Bushman et al. Art Unit 3761  
Serial No. 10/035,650  
Filed December 28, 2001  
Confirmation No. 4610  
For ABSORBENT ARTICLES WITH ABSORBENT PAD GAPPING  
Examiner Jacqueline F. Stephens

July 21, 2006

**RESPONSE TO OFFICE ACTION**

TO THE COMMISSIONER FOR PATENTS,

SIR:

In response to the Office action mailed May 4, 2006, please consider the following remarks.

**General Remarks**

Applicants acknowledge with appreciation the allowance of claims 23-29.

The Office Action Summary included with the Office action of May 4, 2006 indicates (at item 4) that claims 1 and 3-39 are pending in the application. However, applicants' Amendment D filed January 24, 2006 canceled claim 3 and added new claims 41 and 42. Moreover, claim 40 was also pending in the case as of the filing of applicants' Amendment D. Accordingly, applicants submit that claims 1 and 4-42 are currently pending for consideration and should have been considered.

Applicants particularly note that claims 3-10 are indicated in the Office action as being allowable if rewritten independent form. In applicants Amendment D filed January 24, 2006, applicants submitted new claim 41, which corresponds to canceled claim 3 rewritten in independent form. Claim 3 was thus canceled and claims 4 and 5 were amended to depend from new